

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application is respectfully requested.

Claims 1-26 are pending in this application.


In the outstanding Official Action, Claims 1-26 were rejected based upon the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-14 of U.S. Patent No. 6,849,369 and Claims 1-10 of U.S. Patent No. 6,824,945.

The rejections of Claims 1-26 based upon the judicially created doctrine of obviousness-type double patenting over Claims 1-14 of U.S. Patent No. 6,849,369 and Claims 1-10 of U.S. Patent No. 6,824,945 are believed to be moot in view of the Terminal Disclaimer in compliance with 37 CFR §1.321(c) filed herewith. Accordingly, withdrawal of the rejections of Claims 1-26 based upon the judicially created doctrine of obviousness-type double patenting over Claims 1-14 of U.S. Patent No. 6,849,369 and Claims 1-10 of U.S. Patent No. 6,824,945 are believed to be in order.

As no further issues are believed to remain outstanding relative to this application, it is respectfully submitted that this application is clearly in condition for formal allowance, and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 06/04)

Raymond F. Cardillo, Jr.  
Registration No. 40,440